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HAI-QUI GONG

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HAI-QUI GONG,

No. C-03-5495-TEH

Plaintiff,

**CERTIFICATION THAT CONSIDERATION  
HAS NOT BEEN DELIVERED OVER;  
REQUEST FOR AN ADDITIONAL 45 DAYS**

v.

RON JONES,

Defendant.

TO THE HONORABLE COURT IN THIS MATTER:

PLEASE TAKE NOTICE that Plaintiff and Defendant, through counsel, reported this entire matter had been resolved as to all parties and all causes of action (including settlement as to the claims on appeal of Plaintiff's husband). Because of a late-arising situation (tension and potential conflict) created by the lien of Plaintiff's former counsel, David Beauvais, there was some delay obtaining formal approval of the release and the creation of a mechanism by which all claims, including Mr. Beauvais' lien, would finally be settled. Additionally, Plaintiff, who had been pregnant for most of the past year, delivered her baby daughter a few days ago.

Pursuant to the Court's Order of Conditional Dismissal, within 90 days from the date thereof, the agreed consideration for said settlement has not been delivered over. Plaintiff remains hopeful that the requisite consideration will be delivered over, and thus requests an additional 45

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1 days. Counsel for Plaintiff (the undersigned) and David Beauvais have reached an agreement  
2 which will be formalized. Counsel for Plaintiff and for Defendant have conferred. Defense  
3 counsel has the requisite consideration – settlement check – awaiting only signatures on the release  
4 from Plaintiff, John Peters (the plaintiff's husband), and David Beauvais.

5  
6 DATED: January 9, 2009

/s/ Russell A. Robinson

By: Russell A. Robinson  
Law Office of Russell A. Robinson, APC  
Counsel for Plaintiff HAI-QUI GONG

